

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

OCT 6 2021

Nathan Ochsner, Clerk of Court

United States of America

v.

Case No. C-21-1249M

Vince RUIZ III

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

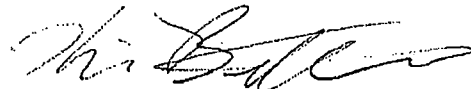
On or about the date(s) of October 05, 2021 in the county of Brooks in the
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*

8 United States Code § 1324

Did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law.

This criminal complaint is based on these facts:

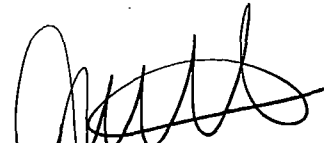
See affidavit

☒ Continued on the attached sheet.

Complainant's signature

Kevin Bittner, HSI, Special Agent

Printed name and title

Submitted by electronic means, sworn to,
signature attested telephonically
per Fed. R. Crim. P. 4.1 and probable cause found:Date: October 6, 2021

Judge's signature

City and state: Corpus Christi, Texas

Julie K. Hampton, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

On October 5, 2021, United States Border Patrol (USBP) Agent Domingo Rico was working his assigned immigration inspection duties at the USBP Checkpoint located approximately thirteen miles south of Falfurrias, Texas, on Highway 281. At approximately 12:45am, a white Freightliner tractor pulling two trailers marked "FedEx Ground" approached the primary area of inspection for an immigration inspection of its occupants. The tractor was pulling two connected enclosed cargo trailers that each had separate doors at the end of the trailer. Border Patrol Agent (BPA) Rico noticed one visible occupant inside the vehicle. BPA Rico asked the driver, later identified as Vince RUIZ III, if he was a United States Citizen and he stated "yes". BPA Rico then asked RUIZ if anyone else was with him and he said yes. Then a female came out of the sleeper area. The female (who has been fully identified) stated she was a United States Citizen. As BPA Rico asked them these questions, BPA Ramiro Montoya advised BPA Rico that his Service Canine Jimca was alerting to the rear end of the Fed Ex trailer. BPA Rico then asked RUIZ for his identification so he could refer him to the secondary inspection area. At this time BPA Rico instructed RUIZ to park in the secondary area of inspection for further inspection of the trailers.

Once in secondary inspection area, BPA Montoya's service canine Jimca alerted to the back door of the first trailer. BPA Montoya then opened the trailer and discovered several subjects concealed inside. BPA Montoya questioned the subjects inside the trailer regarding their immigration status. All admitted to being illegally present in the United States and were escorted inside the checkpoint for further investigation. A total of 20 undocumented aliens (UDAs) were discovered in the trailer. No UDAs were found in the second trailer (the trailer farthest from the tractor).

Homeland Security Investigations (HSI) Corpus Christi was contacted and, at approximately 10:00am, HSI Special Agents (SA) Bittner, Martinez, and Olivarez responded to the checkpoint to assist.

HSI SAs Bittner and Martinez interviewed RUIZ and the female passenger. RUIZ was read his Miranda warning and agreed to speak to agents without a lawyer present. RUIZ provided the following information. RUIZ is a contractor for Warrior Logistics Inc, who is a trucking company that holds a contract with FedEx Ground. Warrior Logistics uses its own tractors to pick up and drop off FedEx trailers. On October 4, 2021, RUIZ left the FedEx location in Cypress, Texas (a suburb of Houston, TX) to take a trailer down to Edinburg, Texas. Upon arrival, RUIZ was to pick up two empty trailers and drive them back to Cypress. RUIZ stated he made 2 stops for food on the way down to Edinburg and then dropped off the trailer. After dropping off the trailer, RUIZ claimed he pulled over to the side of the road in a secluded area to spend time with the passenger of the vehicle, who RUIZ identified as his girlfriend. After the stop, RUIZ stated he pulled into the Loves gas station located on the east side of Hwy 281 in

Edinburg between exits 10 and 11, where he bought some snacks and drinks and then continued to drive back towards Cypress until he was stopped at the checkpoint.

RUIZ maintained that he did not stop his vehicle between the Loves gas station and the checkpoint.

Material Witnesses

HSI SAs also interviewed two material witnesses, identified as Luis Eduardo AGUILAR-Vera (AGUILAR) and Carlos Daniel JUAREZ-Lopez (JUAREZ). JUAREZ was the first to be interviewed and provided the following information.

JUAREZ crossed the Rio Grande on either October 03 or October 04, 2021 and was in a group of 9 aliens. JUAREZ was taken to two different stash houses. From the second house, he was loaded into a Jeep with the other subjects and transported to a field near a highway. JUAREZ described the highway as a large highway with a service road. JUAREZ stated he was close enough to the highway to hear the cars passing on it. JUAREZ waited with a group of aliens (including some who were dropped off in other groups) for approximately 30 minutes to 1 hour. JUAREZ was instructed to wait in the field by the road until a truck arrived. There were no smugglers in the group with them. When a truck arrived, all of the aliens got up and ran up to the truck where the doors were open and a male subject was standing in the dark by the door. All of the subjects got into the front trailer and the door shut and the vehicle immediately left. JUAREZ described the trails as a mail trailer. When asked if he knew which mail carrier, JUAREZ said it was a FedEx trailer. JUAREZ said his family agreed to pay \$10,000 for one opportunity to be smuggled into the United States.

The next subject interviewed was AGUILAR. AGUILAR provided the following information. AGUILAR crossed the Rio Grande on Friday, October 01, 2021. AGUILAR was in a group of 3 (including himself). AGUILAR's family arranged the trip and Aguilar did not know who the trip was arranged with or how much was paid by his family. AGUILAR was picked up after crossing the river and driven with the other two subjects to a stash house with electricity but no running water. After 2 days in that house, AGUILAR and the other two subjects were taken to a second house. AGUILAR remained in the second house until he was loaded into a vehicle where he and the other two subjects laid down and hid while they were driven to a field where they were dropped off on the side of a road with another group of aliens. AGUILAR said his group was the last group. AGUILAR did not know how long they waited for the truck because it was dark and he did not have a watch. AGUILAR said it may have been as long as 3 hours.

A third material witness, identified as Alberto CHAVEZ-Mendoza, was interviewed by BPA D. GONZALEZ, and BPA A. Gutierrez. CHAVEZ stated he crossed the Rio Grande River last Sunday (October 03). From there, he was taken to a house. CHAVEZ spent approximately one day at the house and eventually he was transported to a road. CHAVEZ stated he had previous instructions to wait on the side of the road until the moment a tractor with a trailer would pull over and open the trailer door. CHAVEZ stated that once the tractor trailer pulled over by the side of the road, he started running towards the truck. CHAVEZ stated once he reached the trailer, the door was open, and several subjects were inside the trailer. CHAVEZ stated he did no

see who closed the trailers door. CHAVEZ stated that from the moment he was loaded in the checkpoint he was loaded in the trailer, to the moment when the group was found at the Checkpoint, approximately one hour went by.

BPA's Yanez and Ayon also interviewed AGUILAR prior to HSI's arrival. AGUILAR provided a narrative with some different information than was provided HSI SAs Bittner and Martinez during their interview. AGUILAR told BPA Yanez that, after crossing into the United States, he was being held in a warehouse somewhere near McAllen, Texas waiting to be moved to Houston. AGUILAR stated a tractor pulling two trailers arrived at the warehouse around midnight on the night of his arrest. The driver of the tractor exited the tractor and opened the door to the first trailer (closest to the cab) and AGUILAR and three others entered the trailer. The driver told AGUILAR and the others "subanse y quedense callados", translates to "get in and stay quiet" in English. AGUILAR then said the vehicle drove for a while and then stopped in what appeared to be a remote area where there were at least 15 more people who were loaded into the trailer.

All 3 material witnesses stated the vehicle did not make any stops after leaving the field where the final aliens were loaded.

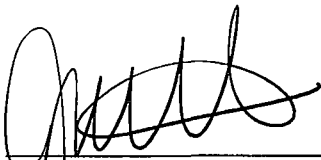
SA Bittner contacted AUSA Yifei Zheng who accepted the case for prosecution against Vince RUIZ III for violation of Title 8 U.S.C. § 1324 – Alien Smuggling. AGUILAR, JUAREZ, and CHAVEZ were held as material witnesses. Prosecution against the female passenger was declined.



Kevin Bittner
Special Agent
Homeland Security Investigations

Submitted by electronic means, sworn to, signature
attested telephonically per Fed. R. Crim. P. 4.1, and
probable cause found on this day October 6th, 2021:

h



Julie K. Hampton
United States Magistrate Judge